



Research and Development

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TO: California Air Resources Board
FROM: Randy Clark and Andrea Wendt, JELD-WEN, inc.
RE: Comments to the Proposed Airborne Toxic Control Measure to Reduce Formaldehyde from Composite Wood Products dated January 31, 2008

The proposed regulation published on January 31, 2008 is an improvement over previous drafts, but there are a few items that require additional clarification from CARB. These items are described below.

- In section 93120.1(a)(8) the definition for Composite Wood Products states that "hardboard" is an exempted product from this regulation. Definitions (17) and (28) of the same section describe "hardboard" and "Medium Density Fiberboard." These definitions need to be defined further to clearly state a difference between the two product types. If these definitions are left as-is, then it is likely that manufacturers of fiberboard will simply call their product "hardboard" and state that they do not need to comply with the regulation. JELD-WEN has proposed definitions to CARB in previous correspondence. Any definition could be used, provided that it includes a statement that "hardboard" will have emissions less than 0.04 ppm so it meets the same criteria of other products exempted from third party certification.
- Section 93120.1(a)(19) has a definition for "Hardwood plywood" that includes the statement, "The face veneer may be composed of a hardwood or decorative softwood species." The phrase, "or decorative softwood" should be deleted. If this remains, then the title of the definition should change to include softwood species. This would require several editorial changes throughout the document.
- The regulation needs a section added to describe how a new start-up plant that uses NAF or ULEF resins can comply with this regulation. There will be instances where a new plant will be built which are very similar to existing manufacturing facilities that already produce products approved by CARB. The products made from this new plant should not have to go through the same requirement of months of QC data and third party certifications to demonstrate compliance. This will delay the ability to sell products into California by a minimum of 3 months. Where appropriate, it should be possible to demonstrate compliance by equivalencies for new plants on an expedited basis, as approved by CARB.
- Section 93120.3(d)(7) should be clarified. Currently it states that any change in the resin system requires the manufacturer to comply with section 93120.3(b). This would require the manufacturer to complete the six months of QC testing before the product with the modified resin can be sold into California. If this is not the intent of this section, it should be modified to state that the manufacturer must demonstrate that the change in the resin system will still produce a product that continues to meet the ULEF requirements to be exempt from third party certification.
- Section 93120.8 is vague and should be clarified to provide an advantage for NAF products. This section of the regulation should provide for less onerous labeling and recordkeeping requirements for NAF products.